



IAP12 Rec'd PCT/PTO 26 MAR 2007 PCT

4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Koga et al..	
U. S. Serial No.:	10/577,827	Case No.: BY0033P
Filing Date:	May 1, 2006	
For:	SIMIAN ORL1 GENE AND METHOD OF ASSESSING COMPOUND	

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371


Sir:

Enclosed is the Declaration under 35 U.S.C. 371, being submitted in response to the Notification of Missing Requirements mailed March 5, 2007 (hereinafter "Notice"). A copy of the Notice is also enclosed.

Please charge Merck & Co., Inc.'s Deposit Account No. 13-2755 in the amount of \$130.00, the fee for furnishing the declaration later than 30 months from the earliest claimed priority date

Respectfully submitted,

By


Heidi M. Struse, Reg. No. 50,288
Attorney for Applicants
MERCK & CO., Inc.
P.O. Box 2000
Rahway, New Jersey 07065-0907
Tel.: (732) 594-0238

Enclosures

Date: March 22, 2007

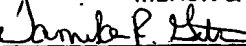
03/28/2007 GFREY1 00000115 132755 10577827

01 FC:1617

130.00 DA

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By  Date 3/22/07



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/577,827	FIRST NAMED APPLICANT Kazumi Koga	ATTY. DOCKET NO. BY0033P
---	--------------------------------------	-----------------------------

INTERNATIONAL APPLICATION NO. PCT/JP04/16552

I.A. FILING DATE 11/08/2004	PRIORITY DATE 11/06/2003
--------------------------------	-----------------------------

210
MERCK AND CO., INC
P O BOX 2000
RAHWAY, NJ 07065-0907

Handwritten: nmp
Oath due 5/5/04

CONFIRMATION NO. 9797
371 FORMALITIES LETTER



OC000000022744610

Date Mailed: 03/05/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/01/2006
- Copy of the International Search Report filed on 05/01/2006
- Preliminary Amendments filed on 05/01/2006
- Biochemical Sequence Diskette filed on 05/01/2006
- Biochemical Sequence Listing filed on 05/01/2006
- U.S. Basic National Fees filed on 05/01/2006
- Priority Documents filed on 05/01/2006

PATENT DEPARTMENT

MAR 07 2007

HEIDI M. STRUSE

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,827	PCT/JP04/16552	BY0033P

FORM PCT/DO/EO/905 (371 Formalities Notice)